

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE EXPORT-IMPORT BANK OF THE REPUB :
OF CHINA, :

Plaintiff and Judgment Creditor, :

-against- :

DEMOCRATIC REPUBLIC OF THE CONGO, :

Defendant and Judgment Debtor. :

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16 Civ. 4480 (JMF)

**NOTICE OF MOTION TO
INCREASE SANCTIONS AND
ENTER JUDGMENT**

PLEASE TAKE NOTICE that upon the Declaration of Paul E. Summit, executed on April 29, 2022, the accompanying memorandum of law, and all prior pleadings and proceedings had herein, The Export Import Bank of the Republic China (“Ex-Im Bank”) will move, pursuant to Fed. R. Civ. P. 37, before the Honorable Jesse M. Furman, United States District Judge, in Courtroom 1105 of the Thurgood Marshall U.S. Courthouse located at 40 Foley Square, New York, New York, for:

- a) an order increasing the existing contempt sanctions against Judgment Debtor the Democratic Republic of the Congo (“DRC”) pursuant to the Court’s Order of October 29, 2020 (ECF No. 64; the “Sanctions Order”) from \$11,428 per day to \$17,000 per day;
- b) a judgment against the DRC on the unpaid civil contempt sanctions accumulated to date in the amount of \$5,162,620; and
- c) any other appropriate relief the Court may deem just and proper.

A proposed order and proposed judgment are attached.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 6.1(a) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, any opposing affidavits and answering memoranda shall be served within 7 days after service of this motion.

Dated: New York, New York
April 29, 2022

SULLIVAN & WORCESTER LLP

By: /s/ Paul E. Summit
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